



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 12917 (PTQ-0027)

Inventors: Van Eyk et al.

Serial No.: 09/115,589

Filing Date: July 15, 1998

Examiner: Gucker, Stephen

Group Art Unit: 1647

Title: Methods of Diagnosing Muscle Damage

"Express Mail" Label No. EV331020992 US

Date of Deposit - August 27, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Mail Stop, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

By 
Typed Name: Kathleen A. Tyrrell, Reg. No. 38,350

Commissioner for Patents
Mail Stop Sequence
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825**

- () I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively are the same.
- () I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.

- () I hereby state that the submission filed in accordance with **37 CFR §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.
- (XX) I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conform with the current Sequence Listing rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- (XX) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

Date: August 27, 2003

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Afl 1647

AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Van Eyk et al.

Docket No.
12917(PTQ-0027)Serial No.
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July 15, 1998Examiner
Gucker, StephenGroup Art Unit
1647

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Invention: Methods of Diagnosing Muscle Damage



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TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	31 -	55 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	4 -	7 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. _____ in the amount of _____.
- A check in the amount of _____ to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.

Kathleen A. Tyrrell
Signature

Kathleen A. Tyrrell, Reg. No. 38,350

Dated: August 27, 2003

Licata & Tyrrell P.C.
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I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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- 1) Amendment Transmittal Letter (in duplicate);
- 2) Amendment in Response to the Office Action dated May 30, 2003;
- 3) Statement to Support Filing and Submission in Accordance with 37 C.F.R. §1.821-1.825;
- 4) Paper copy of substitute Sequence Listing;
- 5) Diskette containing computer readable copy of substitute Sequence Listing;
- 6) Return Postcard.

Kathleen A. Tyrrell

A handwritten signature in black ink, appearing to read "Kathleen A. Tyrrell", is written over the printed name "Kathleen A. Tyrrell" in a standard font.